



LODI CITY COUNCIL

Carnegie Forum

305 West Pine Street, Lodi

AGENDA – REGULAR MEETING

Date: August 3, 2005

Time: Closed Session 6:30 p.m.
Regular Meeting 7:00 p.m.

For information regarding this Agenda please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTE: All staff reports or other written documentation relating to each item of business referred to on the agenda are on file in the Office of the City Clerk and are available for public inspection. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation contact the City Clerk's Office as soon as possible and at least 24 hours prior to the meeting date.

C-1 Call to Order / Roll Call

C-2 Announcement of Closed Session

- a) Actual litigation: Government Code §54956.9; two applications; Kristine Wisecarver v. City of Lodi; WCAB case numbers WCK 0071616 and WCK 0071617
- b) Actual litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM
- c) Actual litigation: Government Code §54956.9(a); one case; Hartford Accident and Indemnity Company, et al. v. City of Lodi, et al., Superior Court, County of San Francisco, Case No. 323658
- d) Conference with legal counsel – anticipated litigation – significant exposure to litigation pursuant to subdivision (b) of Section 54956.9; one case; pursuant to Government Code §54956.9(b)(3)(A) facts, due to not being known to potential plaintiffs, shall not be disclosed
- e) Actual litigation: Government Code §54956.9(a); one case; Fireman's Fund Insurance Company v. City of Lodi, et al., United States District Court, Eastern District of California Case No. CIV-S-98-1489 FCD JFM
- f) Actual litigation: Government Code §54956.9(a); one case; City of Lodi v. Michael C. Donovan, an individual; Envision Law Group, LLP, et al., San Joaquin County Superior Court, Case No. CV025569

C-3 Adjourn to Closed Session

NOTE: THE FOLLOWING ITEMS WILL COMMENCE NO SOONER THAN 7:00 P.M.

C-4 Return to Open Session / Disclosure of Action

A. Call to Order / Roll call

B. Invocation – Chaplain Barbara Taylor, Lodi Police Chaplains

C. Pledge of Allegiance

D. Presentations

D-1 Awards – None

D-2 Proclamations – None

D-3 Presentations – None

E. Consent Calendar (Reading; comments by the public; Council action)

- E-1 Receive Register of Claims in the amount of \$7,952,966.83 (FIN)
- E-2 Approve minutes (CLK)
a) May 11, 2005 (Special Meeting)
b) May 18, 2005 (Regular Meeting)
c) July 12, 2005 (Shirtsleeve Session)
d) July 19, 2005 (Shirtsleeve Session)
- E-3 Report of sale of surplus equipment (PW)
- E-4 Report on emergency air conditioning equipment replacement at Municipal Service Center Public Works office (PW)
- E-5 Approve plans and specifications and authorize advertisement for bids for Turner Road Pump Station Modifications, Turner Road Underpass (PW)
- E-6 Approve the plans, drawings and specifications and authorize advertisement for bids for the reconstruction of Killelea Substation, the addition of 60kV power circuit breakers at Industrial Substation, and procurement of two 60/12kV power transformers (EUD)
- Res. E-7 Adopt resolution approving specifications, authorizing advertisement for bids for elevator services, and authorizing the City Manager to award or reject the contract up to \$13,500 (PW)
- Res. E-8 Adopt resolution awarding the purchase of 20,000 feet of #1/0 medium-voltage ethylene propylene rubber insulated underground conductor to the low bidder, The Okonite Company, of San Ramon, CA (\$32,109.50) (EUD)
- Pulled**
Res. **E-9** Adopt resolution awarding the request for proposal for the installation and monitoring of an alarm system at Blakely Park pool complex, 1050 S. Stockton Street, to Matson Alarm Co., Inc., of Fresno, CA (\$13,530) (PR)
- E-10 Donation of retired gymnastic equipment to the Stockton Rotary (PR)
- Res. E-11 Adopt resolution accepting improvements at 1745 West Kettleman Lane (PW)
- Res. E-12 Adopt resolution authorizing the City Manager to execute two-year extension option (fiscal years 2006-07 and 2007-08) of transit operations contract with MV Public Transportation, Inc., (PW)
- Res. E-13 Adopt resolution approving temporary storm drainage basin agreement for Westgate Shopping Center (PW)
- E-14 Transmit Draft Short Range Transit Plan and Proposed Service Enhancements and Reductions to Council, open public comment period, and set public hearing to adopt Short Range Transit Plan and Service Enhancements and Reductions for September 7, 2005 (PW)
- Res. E-15 Adopt resolution appropriating funds for Central Valley Regional Water Quality Control Board PCE/TCE oversight costs for fiscal year 2005-06 (\$32,000) (PW)
- Res. E-16 Adopt resolution authorizing renewal of IBM Operating System Software for AS400 from Logical Design, Inc., of Rancho Cordova, CA (\$31,598.00) (ISD)

F. Comments by the public on non-agenda items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

G. Comments by the City Council Members on non-agenda items

H. Comments by the City Manager on non-agenda items

I. Public Hearings

- Res. I-1 Public hearing to consider the appeal from Noorul Akbar regarding the requirements of a Notice and Order to Repair for the property located at 511 Alicante (APN 031-200-16) (CD)

J. Communications

J-1 Claims filed against the City of Lodi – None

J-2 Appointments

Pulled

- a) Adjust term (month) expiration date for all Greater Lodi Area Youth Commission representatives and make appointments to the Commission (Student Appointees) (CLK)

J-3 Miscellaneous – None

K. Regular Calendar

K-1 PCE/TCE water rate increase issues (PW)

- Res. K-2 Adopt resolution regarding City vote on property assessment ballot for City property within the Central Delta Water Agency (PW)

L. Ordinances – None

M. Adjournment

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

Susan J. Blackston
City Clerk